

PATENT

Atty. Dkt. No. NVDA/P002816

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Ian HIRSCHSOHN

Serial No.: 09/974,521

Confirmation No.: 7287

Filed: October 9, 2001

For: PREDICTIVE RESOURCE  
ALLOCATION IN  
COMPUTING SYSTEMS§  
§  
§  
§  
§  
§  
§  
§

Group Art Unit: 2195

Examiner: Camquy Truong

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**DECLARATION UNDER 35 U.S.C. 131**

I, Ian Hirschsohn, the named inventor of the subject application, hereby declare and state that:

1. I prepared an invention disclosure and submitted said invention disclosure and submitted it for approval and filing on a date prior to August 23, 2001;

A copy of that invention disclosure is attached hereto as Exhibit A with the dates obscured.

I had a disclosure conference with an attorney from the firm of Townsend, Townsend and Crew on a date prior to the filing date of the Hvostov '211 patent as established by Exhibit B attached hereto.

Less than two weeks later I received a draft of the application for my review (see Exhibit C). Within one month, I reviewed and edited the application. The application was then revised, retyped and submitted to me for signature (see Exhibit D).

Page 1

630766\_1.DOC

## PATENT

Atty. Dkt. No. NVDA/P002816

Within the next week and a half, I made some further edits to the application and corrected a figure, and a new final draft was sent to me for execution (Exhibit E).

The application was then filed.

It is clear from the above statements and exhibits that I conceived of the invention and diligently proceeded to see that an application was drafted prior to the filing date of the Hvostov '211 patent. The application was then reviewed multiple times and filed on October 9, 2001, about six weeks after the filing date of the Hvostov application.

6 Dec, 2007  
Date

  
\_\_\_\_\_  
Ian HIRSCHOHN